

DOCKET NO.: ELSE-0819

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Rodney C. Hemminger, et al.

Confirmation No.:

Application No.: 10/617,844

Group Art Unit: Not Yet Assigned

Filing Date: July 11, 2003

Examiner: Not Yet Assigned

**For: APPARATUS FOR METERING AT LEAST ONE TYPE OF ELECTRICAL
POWER OVER A PREDETERMINED RANGE OF SERVICE VOLTAGES**

DATE OF DEPOSIT: *10/8/03*

I HEREBY CERTIFY THAT THIS PAPER IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL
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TRADEMARK OFFICE, P.O. BOX 1450, ALEXANDRIA,
VA 22313-1450.

TYPED NAME: **Vincent J. Roccia**
REGISTRATION NO.: **43,887**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- ☒ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of

the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

☐ In accordance with § 1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

☐ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☐ Certification in Accordance with § 1.97(e) is attached;

or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).

- ☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- ☒ Copies of references listed on the attached Form PTO-1449 are enclosed herewith

EXCEPT THAT:

- ☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- ☒ In accordance with § 1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application:
- ☒ Copies of references **1 thru 139, 161 thru 199** listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior Application No. **09/781,501**, filed **February 12, 2001**.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

Copies of references **140 thru 160** listed on the attached Form PTO-1449 are not required to be submitted based on the new PTO rule which follows:. The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC § 371 after June 30, 2003.

Applicant is aware the reference #234 entitled "Quantum Technical Guide" and dated July 1989 is not being presently submitted. Applicant will attempt to locate the reference and submit it if it is located.

Applicant notes that certain claims of inequitable conduct had been made with respect to the presently pending patent application. These charges of inequitable conduct may be found in the cited Information Disclosure Statement documents.

There are no listed references which are not in the English language.

Date:

10/8/03



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Form PTO-1449 Modified

List of Patent and Publications
Cited by Applicant
(Use several sheets if necessary)

U.S. Department of Commerce
Patent and Trademark Office

Docket No.
ELSE-0819

Application No.
10/617,844

Applicant
Rodney C. Hemminger, et al.

Filing Date
July 11, 2003

Group
Not Yet Assigned

U. S. PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Name	Class	Subclass
	1	2,724,821	11/22/55	E.Q. Schweitzer, Jr.		
	2	3,794,917	2//261974	Martin et al.		
	3	3,806,875	4//23/1974	Georget		
	4	3,826,985	7//301974	Wiley		
	5	3,976,941	8//241976	Milkovic		
	6	4,007,061	2//81977	Le Coturier		
	7	4,034,292	7/5/1977	McClelland, III		
	8	4,077,061	2/28/1978	Johnston et al.		
	9	4,092,592	5/30/1978	Milkovic		
	10	4,096,436	6/20/1978	Cook et al.		

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO
	11	0 288 413 A1	10/1988	EPO	x	
	12	0 462 045 A1	12/1991	EPO	x	
	13	1-239473	9/1989	JP	Abstract	
	14	1-239474	9/1989	JP	Abstract	
	15	1-239475	9/1989	JP	Abstract	

EXAMINER

DATE CONSIDERED



Form PTO-1449 Modified List of Patent and Publications Cited by Applicant (Use several sheets if necessary) U.S. Department of Commerce Patent and Trademark Office	Docket No. ELSE-0819	Application No. 10/617,844
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Examiner Initial		Document No.	Date	Name	Class	Subclass
	16	4,119,948	10/10/1978	Ward et al.		
	17	4,120,031	10/10/1978	Kincheloe et al.		
	18	4,131,844	12/26/1978	Hucker et al.		
	19	4,156,273	5/22/1979	Sato		
	20	4,156,931	5/29/1979	Adelman et al.		
	21	4,156,932	5/29/1979	Robinson et al.		
	22	4,158,810	6/19/1979	Leskovar		
	23	4,186,339	1/29/1980	Finger		
	24	4,209,826	6/24/1980	Priegnitz		
	25	4,213,119	7/15/1980	Ward et al.		

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO
	26	2 095 879	1/1982	Great Britain		
	27	61-11680	1/1986	JP	Abstract	
	28	61-284670	12/1986	JP	Abstract	
	29	61-38569	2/1986	JP	Abstract	
	30	68113/87	8/1987	Australia	x	

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U. S. PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Name	Class	Subclass
	31	4,283,772	8/11/1981	Johnston		
	32	4,291,375	9/22/1981	Wolf		
	33	4,298,839	11/3/1981	Johnston		
	34	4,301,508	11/17/1981	Anderson et al.		
	35	4,315,248	2/9/1982	Ward		
	36	4,335,445	6/15/1982	Nercessian		
	37	4,355,361	10/19/1982	Riggs et al.		
	38	4,359,684	11/16/1982	Ley		
	39	4,361,877	11/30/1982	Dyer et al.		
	40	4,378,524	3/29/1983	Steinmüller		

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO
	41	EP 0 092 303 B1	10/86	EPO	x	
	42	GB 2177 805 A	1/1987	Great Britain	x	
	43	WO 86/05887	10/1986	WO	x	

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	44	4,389,702	6/21/1983	Clemente et al.		
	45	4,399,510	8/16/1983	Hicks		
	46	4,407,061	10/4/1983	Grodkiewicz et al.		
	47	4,415,853	11/15/1983	Fisher		
	48	4,420,721	12/13/1983	Dorey et al.		
	49	4,422,039	12/20/1983	Davis		
	50	4,437,059	3/13/1984	Hauptmann		
	51	4,438,485	3/20/1984	Voigt		
	52	4,439,764	3/27/1984	York et al.		
	53	4,467,434	8/21/1984	Hurley et al.		

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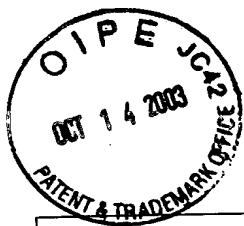
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Examiner Initial		Document No.	Date	Name	Class	Subclass
	54	4,489,384	12/18/1984	Hurley et al.		
	55	4,497,017	1/29/1985	Davis		
	56	4,509,128	4/2/1985	Coppola et al.		
	57	4,516,213	5/7/1985	Gidden		
	58	4,542,469	9/17/1985	Brandyberry et al.		
	59	4,566,060	1/21/1986	Hoeksma		
	60	4,581,705	4/8/1986	Gilker et al.		
	61	4,600,881	7/15/1986	LaRocca et al.		
	62	4,607,320	8/19/1986	Matui et al.		
	63	4,621,330	11/4/1986	Weikel		

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	64	4,622,627	11/11/1986	Rodriguez et al.		
	65	4,623,960	11/18/1986	Eng		
	66	4,642,634	2/10/1987	Gerri et al.		
	67	4,646,084	2/24/1987	Burrowes et al.		
	68	4,686,460	8/11/1987	Stevens et al.		
	69	4,692,874	9/8/1987	Mihara		
	70	4,697,180	9/29/1987	Swanson		
	71	4,700,280	10/13/1987	Onda et al.		
	72	4,701,858	10/20/1987	Stokes et al.		
	73	4,713,608	12/15/1987	Catiller et al.		

FOREIGN PATENT DOCUMENTS

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U. S. PATENT DOCUMENTS							
Examiner Initial		Document No.	Date	Name	Class	Subclass	
	74	4,754,219	6/28/1988	Milkovic			
	75	4,757,456	7/12/1988	Benghiat			
	76	4,761,725	8/2/1988	Henze			
	77	4,794,369	12/27/1988	Haferd			
	78	4,803,632	2/7/1989	Frew et al.			
	79	4,814,757	3/21/1989	Patterson et al.			
	80	4,831,327	5/16/1989	Chénier et al.			
	81	4,853,620	8/1/1989	Halder et al.			
	82	4,862,493	8/29/1989	Venkataraman et al.			
	83	4,866,587	9/12/1989	Wadlington			
FOREIGN PATENT DOCUMENTS							
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Examiner Initial		Document No.	Date	Name	Class	Subclass	
	84	4,881,027	11/14/1989	Joder et al.			
	85	4,881,070	11/14/1989	Burrowes et al.			
	86	4,884,021	11/28/1989	Hammond et al.			
	87	4,896,106	1/23/1990	Voisine et al.			
	88	4,902,964	2/20/1990	Szabela et al.			
	89	4,902,965	2/20/1990	Bodrug et al.			
	90	4,908,569	3/13/1990	Fest			
	91	4,908,769	3/13/1990	Vaughan et al.			
	92	4,922,187	5/1/1990	Beverly, II			
	93	4,922,399	5/1/1990	Tsuzuki			
FOREIGN PATENT DOCUMENTS							
Examiner Initial		Document No.	Date	Country	Translation		
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	94	4,931,725	6/5/1990	Hutt et al.		
	95	4,949,029	8/14/1990	Cooper et al.		
	96	4,951,052	8/21/1990	Jacob et al.		
	97	4,956,761	9/11/1990	Higashi		
	98	4,975,592	12/4/1990	Hahn et al.		
	99	4,977,368	12/11/1990	Munday et al.		
	100	4,978,911	12/18/1990	Perry et al.		
	101	4,998,061	3/5/1991	Voisine et al.		
	102	4,999,569	3/12/1991	Weikel		
	103	5,010,335	4/23/1991	Coppola et al.		

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Examiner Initial		Document No.	Date	Name	Class	Subclass
	104	5,014,213	5/7/1991	Edwards et al.		
	105	5,017,860	5/21/1991	Germer et al.		
	106	5,019,955	5/28/1991	Hoeksma		
	107	5,032,785	7/16/1991	Mathis et al.		
	108	5,059,896	10/22/1991	Germer et al.		
	109	5,122,735	6/16/1992	Porter et al.		
	110	5,140,511	8/18/1992	Lee et al.		
	111	5,151,866	9/29/1992	Glaser et al.		
	112	5,153,837	10/6/1992	Shaffer et al.		
	113	5,173,657	12/22/1992	Holdsclaw		

FOREIGN PATENT DOCUMENTS

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U. S. PATENT DOCUMENTS							
Examiner Initial		Document No.	Date	Name	Class	Subclass	
	114	5,175,675	12/29/1992	Uramoto			
	115	5,181,026	1/19/1993	Granville			
	116	5,184,064	2/2/1993	Vicknair et al.			
	117	5,229,713	7/20/1993	Bullock et al.			
	118	5,245,275	9/14/1993	Germer et al.			
	119	5,268,633	12/7/1993	Balch			
	120	5,270,958	12/14/1993	Dastous			
	121	5,287,287	2/15/1994	Chamberlain et al.			
	122	5,296,803	3/22/1994	Kirby et al.			
	123	5,315,527	5/24/1994	Beckwith			
FOREIGN PATENT DOCUMENTS							
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U. S. PATENT DOCUMENTS						
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	124	5,325,051	6/28/1994	Germer et al.		
	125	5,391,983	2/21/1995	Lisignan et al.		
	126	5,457,621	10/10/1995	Munday et al.		
	127	5,495,167	2/27/96	Cotroneo		
	128	5,537,029	7/16/1996	Hemminger et al.		
	129	5,539,304	7/23/96	Payne et al.		
	130	5,544,089	8/6/1996	Hemminger et al.		
	131	5,548,209	8/20/1996	Lusignan et al.		
	132	5,548,527	8/20/1996	Hemminger et al.		
	133	5,555,508	9/10/1996	Munday et al.		
	134	5,903,145	5/11/1999	Hemminger et al.		
	135	6,229,295 B1	5/8/2001	Hemminger et al.		
	136	5,621,629	04/97	Hemminger, et al.	363	56
	137	6,097,182	08/00	Hemminer, et al.	324	142
	138	5,742,151	04/98	Hwang	323	222
	139	5,808,455	09/98	Schwartz, et al.	323	271
	140	3,569,818			363	21.12
EXAMINER				DATE CONSIDERED		



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U. S. PATENT DOCUMENTS							
Examiner Initial		Document No.	Date	Name	Class	Subclass	
	141	4,241,237	12/23/80	Paraskevakos, et al.	379	106.06	
	142	4,335,447	06/15/82	Jerrim	714	22	
	143	4,455,453	06/19/84	Paraskevakos, et al.	379	106.06	
	144	4,620,150	10/28/86	Germer, et al.	324	103.12	
	145	4,639,728	01/27/87	Swanson	340	870.03	
	146	4,682,169	07/21/87	Swanson	379	102.07	
	147	4,697,181	09/29/87	Swanson	340	870.02	
	148	4,697,182	09/29/87	Swanson	340	870.02	
	149	4,804,957	02/14/89	Selph, et al.	340	870.03	
	150	4,999,572	03/12/91	Bickford, et al.	324	103R	
	151	5,146,394	09/08/92	Ishii, et al.	363	16	
	152	5,237,511	08/17/93	Caird, et al.	702	58	
	153	5,289,115	02/22/94	Germer, et al.	324	107	
	154	5,469,049	11/21/95	Briese, et al.	324	76.77	
	155	5,471,137	11/28/95	Briese, et al.	324	158.1	
	156	5,537,333	07/16/96	Hemminger, et al.	702	60	
	157	5,621,629	04/15/97	Hemminger, et al.	363	56.1	
	158	5,631,554	05/20/97	Briese, et al.	324	76.77	
	159	5,631,843	05/20/97	Munday, et al.	700	286	
	160	5,691,634	11/25/97	Lowe	324	107	
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
	161	"Enter the Electronic Metering Age With GE, The Electronic Polyphase Demand Meter, GE Electronic Metering," GE Meters Brochure , Somersworth, NH, Sept. 1989
	162	G.A. Kingston, et al., "Multi Function Polyphase Metering - An Integrated Approach," Schlumberger Industries Electricity Management, UK
	163	Garverick, Steven L. et al., "A Programmable Mixed-Signal ASIC of Power Metering," ISSCC91/Session 2/Low-Temperature Circuits and Special-Purpose Processors/Paper WP 2.4, IEEE International Solid -State Circuits Conference, 1991
	164	Garverick, Steven L. et al., "A Programmable Mixed-Signal ASIC for Power Metering," IEEE Journal of Solid-State Circuits, Vol. 26, No. 12, December 1991
	165	GOW, J., Electrical Metering Practices, 1973 - <i>Copy of Reference not available</i>
	166	H. Kohler, "Elektronischer Hochprazisionzahler im 19-Zoll-Einbaughehaue fur Wirkverbrauch-und Blindverbrauchzuehlung," Siemens Magazine, pp. 345-349, 1977
	167	Handbook for Electricity Metering, 1981 - <i>Copy of Reference not available</i>
	168	HP Eggenberger, "Ein Elektronischer Elektrizitatszahler fur Wir -und Blindverrauch," Neue Zurcher Zeitung, September 6, 1989
	169	In the Matter of Australian Patent Application No. 688711 in the name of ABB Power T&D Company Inc. and In the Matter of Opposition thereto by Electrowatt Technology Innovation Corporation, "Statement of Grounds and Particulars in Support of Opposition, August 12, 1998
	170	In the Matter of Australian Patent Application 688711 in the name of ABB Power T&D Company Inc. and In the Matter of Opposition Thereto by Electrowatt Technology Innovation Corporation, Revised "Statement of Grounds and Particulars in Support of Opposition, February 19, 1999.
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		Applicant Rodney C. Hemminger, et al.	
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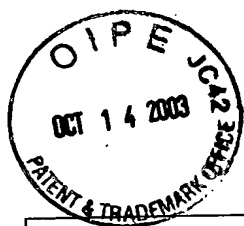
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	205	Complaint for Patent Infringement of U.S. Patent Nos. 5,548,527, 5,555,508, 5,457,621, 5,621,629, 5,903,145, and 6,097,182 and for Declaratory Judgment of Non-Infringement and Invalidity of U.S. Patent Nos. 5,469,049, 5,471,137, and 5,631,554, In the United States District Court for the District of Delaware, ABB Automation, Inc., v. Schlumberger Resource Management Services, Inc., Case No.: 01-77, February 12, 2001	
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	207	Answer and Affirmative Defense to First Amended Complaint and Counterclaims for Declaratory Judgment of Non-Infringement, Invalidity and/or Unenforceability and for Patent Infringement, In the United States District Court for the District of Delaware, ABB Automation, Inc., v. Schlumberger Resource Management Services, Inc., Case No.: 01-77, July 2, 2001	
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EXAMINER		DATE CONSIDERED	



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		Applicant Rodney C. Hemminger, et al.	
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